

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): LEE et al. CONF.:
SERIAL NO.: NEW CONTINUATION GROUP: Unassigned
APPLN. BASED ON 09/488,549
FILED: October 24, 2001 EXAMINER: Unassigned
FOR: RETROGRADE DOPING PROFILE IN TWIN WELL CMOS
DEVICE

PRELIMINARY RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

October 23, 2001

Dear Sir:

Preliminary to examination of the above-identified application, the following remarks are submitted in connection with the above-identified application.

REMARKS

Claims 1-9 are pending. Claim 1 is an independent claim. Remarks regarding the drawings correspond to those submitted on July 24, 2001 in the parent application (U.S. Serial No. 09/288/550). Remarks regarding rejection of claims coincide with to those submitted on August 23, 2001 in a response filed supplemental to the response of July 24, 2001.

Drawings

The drawings stand objected to as failing to comply with Rule 84 because reference characters 22a and 22b were both used to designate a p+layer.

In response to this objection to the drawings, a Drawing Change Authorization Request has been filed. In the corrected drawing, Figure 1 now properly shows reference character 22b designating a p-well as opposed to the p+layer designated in the former drawing.

The drawings were also objected to as failing to comply with Rule 84(p)(5) because they included reference sign 17, which was not mentioned in the specification. The specification has been amended on page 5, paragraph 1, line 4. The reference sign that formally referred to a bottom layer 11, has been changed to read "a bottom layer 17" to conform to the drawing.

Claim Rejections

Claims 1 and 3-7 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Borland and claim 2 stands rejected under 35 U.S.C. § 103 as being unpatentable over Borland. Applicants respectfully traverse these art grounds of rejection.

The Examiner maintains that Borland discloses a feature of the claimed invention based on the illustration in Figure 2 of Borland, stating that "in a

direction of depth, a junction exists between the first twin well and the semiconductor substrate 10" (see page 3 of the April 24, 2001 Office Action).

An Amendment was filed on July 24, 2001. The Examiner issued an Advisory Action dated August 14, 2001 refusing entry of the Amendment of July 24, 2001, but provided helpful comments (detailing the Examiner's position) on a continuation sheet attached to the Advisory Action.

In Response, first and second telephone interviews were conducted with the Examiner on August 17, 2001, and August 20, 2001 respectively. In the second interview, the Applicant proposed to the Examiner, several amendment options directed to meeting the Examiner's rejection, and putting claim 1 in condition for allowance. An agreement was reached with Examiner to amend claim 1 to recite a substrate having no buried implanted layer beneath the wells, thus putting the application in condition for allowance.

However, after submission of the supplemental response and claim amendment, the Examiner issued a second Advisory Action indicating that the amendment raises issues that would require further consideration and/or search. Notwithstanding, Applicant submits that the amendment overcomes the rejection of claim 1 over Borland.

Claims 2-7, and claims 18 and 19 (now claims 8 and 9), dependent on claim 1, are patentable at least for the reasons stated above with respect to claim

1. In view of the above remarks, reconsideration and withdrawal of the art grounds of rejection over Borland are respectfully requested.

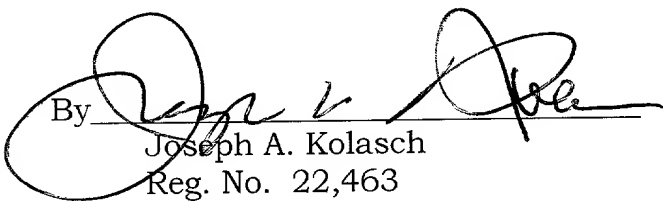
In the event that any outstanding matters remain in this application, Applicant requests that the Examiner contact the undersigned at (703) 205-8000 to discuss such matters.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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